

Committee Agenda

Webcast



Meeting



**Epping Forest
District Council**

AREA PLANNING SUBCOMMITTEE SOUTH **Wednesday, 1st February, 2012**

Place: Roding Valley High School, Brook Road, Loughton, Essex
IG10 3JA

Room: Dining Hall

Time: 7.30 pm

Democratic Services Officer: Rebecca Perrin (The Office of the Chief Executive)
Tel: 01992 564532 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Hart (Chairman), Ms S Watson (Vice-Chairman), K Angold-Stephens, R Barrett, K Chana, Mrs T Cochrane, R Cohen, D Dodeja, C Finn, Ms J Hart, J Knapman, L Leonard, A Lion, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland and D Wixley

A PLAN SHOWING THE LOCATION OF RODING VALLEY HIGH SCHOOL IS ATTACHED TO THIS AGENDA. A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE SUB-COMMITTEE, AT 6.30 P.M. PRIOR TO THE MEETING

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. the Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be filmed live for subsequent uploading to the Internet and will be capable of repeated viewing.

If you are seated in the public seating area it is possible that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast although Officers will try and avoid this.

This may infringe your human and data protection rights and if you have any concerns about this you should speak to the Webcasting Officer.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 10)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

3. MINUTES (Pages 11 - 24)

To confirm the minutes of the last meeting of the Sub-Committee.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 25 - 66)

(Director of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

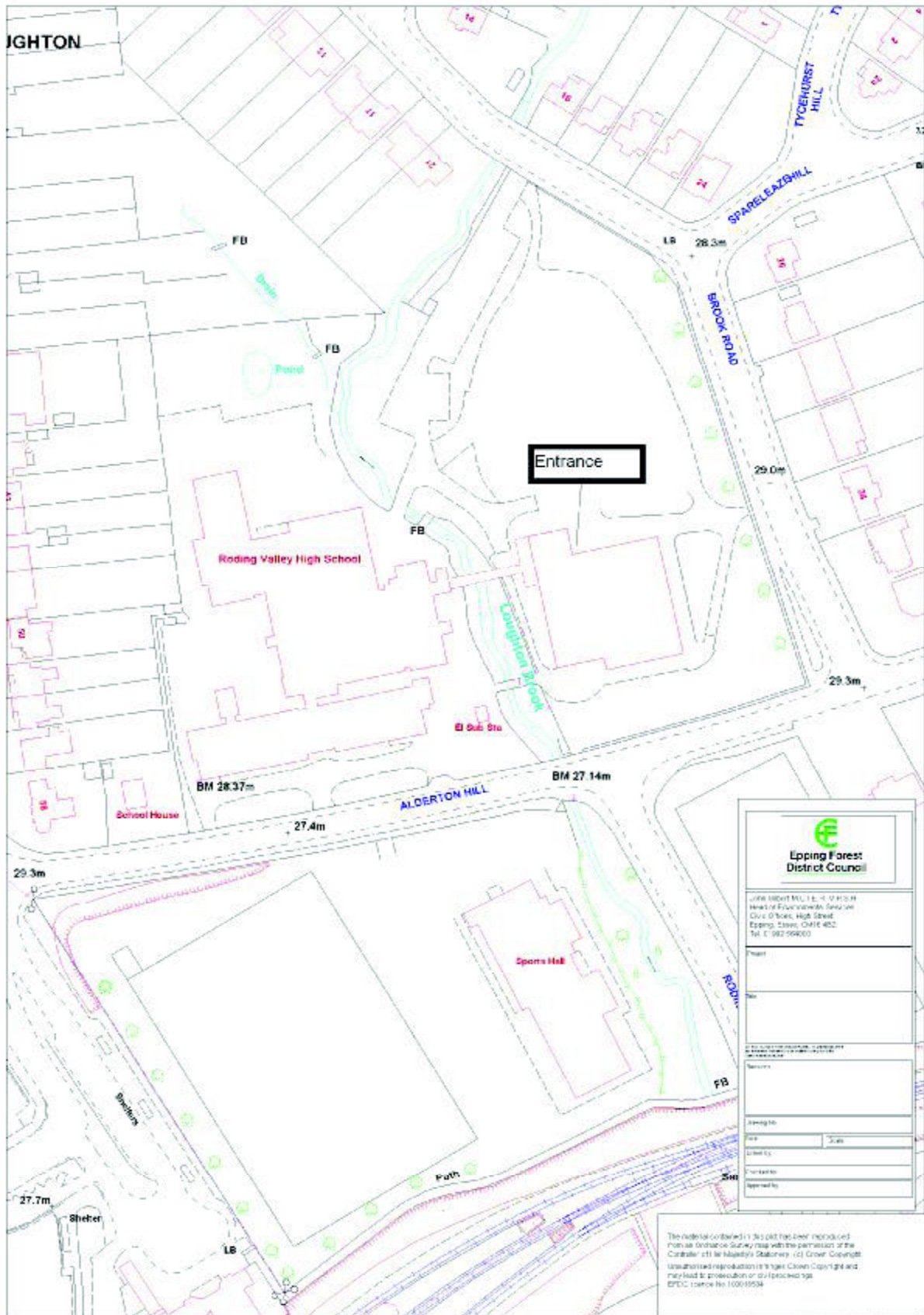
The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

Area Plans Subcommittee South – Location Plan



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Area Planning Subcommittee South 2011-12
 Members of the Committee:

Use this QR code to
 access contact
 details for this
 Committee



Cllr James Hart	Cllr Watson	Cllr Angold-Stephens	Cllr Barrett	Cllr Chana	Cllr Cochrane
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Cllr Cohen	Cllr Dodeja	Cllr Finn	Cllr Jennie Hart	Cllr Knapman	Cllr Leonard
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Cllr Lion	Cllr Markham	Cllr Mohindra	Cllr Pond	Cllr Richardson	Cllr Sandler
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Cllr Spencer	Cllr Sutcliffe	Cllr Uikun	Cllr Wagland	Cllr Wixley
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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee **Date:** 4 January 2012
South

Place: Roding Valley High School, Brook Road, Loughton, Essex IG10 3JA **Time:** 7.30 - 9.24 pm

Members Present: J Hart (Chairman), Ms S Watson (Vice-Chairman), R Barrett, K Chana, Mrs T Cochrane, R Cohen, C Finn, Ms J Hart, J Knapman, L Leonard, A Lion, J Markham, G Mohindra, Mrs C Pond, Mrs P Richardson, B Sandler, P Spencer, H Ulkun, Mrs L Wagland and D Wixley

Other Councillors:

Apologies: K Angold-Stephens, D Dodeja and Mrs J Sutcliffe

Officers Present: N Richardson (Assistant Director (Development Control)), A Hendry (Democratic Services Officer), S G Hill (Senior Democratic Services Officer) and R Perrin (Democratic Services Assistant)

54. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

55. MINUTES

RESOLVED:

- (1) That the minutes of the meeting held on 2 November 2011 be taken as read and signed by the Chairman as a correct record; and
- (2) That the minutes of the meeting held on 12 December 2011 be taken as read and signed by the Chairman as a correct record, subject to the Declaration of Interests (e) being amended to read 'the Campaign to Protect Rural England and not 'Campaign for the Preservation of Rural England'; and also that Councillor Sutcliffe knew both the objectors.

56. DECLARATIONS OF INTEREST

a) Pursuant to the Council's Code of Member Conduct, Councillors K Chana, G Mohindra, J Knapman, L Wagland, A Lion and B Sandler declared personal interests in the following item of the agenda by virtue of being members of Chigwell Parish Council. The Councillors had determined that their interests were not prejudicial and

that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/1732/11 - Lingmere, Vicarage Lane, Chigwell.

b) Pursuant to the Council's Code of Member Conduct, Councillor J Knapman declared a personal interest in the following item by virtue of being the Portfolio Holder for Waste Management. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2320/11 – 182 Roding Road, Loughton.

c) Pursuant to the Council's Code of Member Conduct, Councillors S Watson and H Ulkaun declared personal interests in the following item of the agenda by virtue of being members of Buckhurst Hill Parish Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2225/11 – Wentworth Court, Albert Road, Buckhurst Hill.

d) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a personal interest in the following item by virtue of being a Tree Warden. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2332/11 – Four Winds, Baldwin's Hill, Loughton;
- EPF/1732/11 – Lingmere, Vicarage Lane, Chigwell.

e) Pursuant to the Council's Code of Member Conduct, Councillors C Pond, L Leonard, J Markham and R Cohen declared a personal interest in the following item by virtue of being members of Loughton Town Council. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2102/11 – 3 Church Hill, Loughton.

f) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a personal interest in the following item by virtue of being a member of Loughton Town Council and knowing the Chairman of Loughton Cricket Club. The Councillor had determined that his interest was not prejudicial and that he would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2102/11 – 3 Church Hill, Loughton.

g) Pursuant to the Council's Code of Member Conduct, Councillors C Pond, L Leonard, J Markham, R Cohen, D Wixley, C Finn, Jennie Hart and T Cochrane declared a personal interest in the following item by virtue of being members of the Loughton Resident's Association who had put in a submission on this application. The Councillors had determined that their interests were not prejudicial and that they would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2320/11 – 182 Roding Road, Loughton.

h) Pursuant to the Council's Code of Member Conduct, Councillor P Richardson declared a personal interest in the following items by virtue of being a member of Loughton Town Council. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2332/11 – Four Winds, Baldwin's Hill, Loughton;
- EPF/2102/11 – 3 Church Hill, Loughton;
- EPF/2320/11 – 182 Roding Road, Loughton.

i) Pursuant to the Council's Code of Member Conduct, Councillor C Pond declared a personal interest in the following item by virtue of being a member of Loughton Town Council. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2332/11 – Four Winds, Baldwin's Hill, Loughton.

j) Pursuant to the Council's Code of Member Conduct, Councillor Jennie Hart declared a personal interest in the following item by virtue of knowing the neighbour of 3 Church Hill. The Councillor had determined that her interest was not prejudicial and that she would stay in the meeting for the consideration of the applications and voting thereon:

- EPF/2102/11 – 3 Church Hill, Loughton.

k) Pursuant to the Council's Code of Member Conduct, Councillor James Hart declared a personal interest in the following items by virtue of knowing the applicant. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the applications and voting thereon:

- EPF/2332/11 – Four Winds, Baldwin's Hill, Loughton.

57. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

58. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That the planning applications numbered 1 – 5 be determined as set out in the attached schedule to these minutes.

59. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2332/11
SITE ADDRESS:	Four Winds Baldwin's Hill Loughton Essex IG10 1SE
PARISH:	Loughton
WARD:	Loughton St Johns
DESCRIPTION OF PROPOSAL:	TPO/EPF/16/89 T2 (T3 on TPO) - Cypress – Selective branch reduction, as specified G1 & T3, (A1 on TPO) - Holly - Fell T4 & T5 – Holly – Crown reduce by up to 1.5 metres of branch length
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532812

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Report Item No: 2

APPLICATION No:	EPF/1732/11
SITE ADDRESS:	Lingmere Vicarage Lane Chigwell Essex IG7 6LQ
PARISH:	Chigwell
WARD:	Chigwell Village
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and erection of four detached dwellings, conversion of existing Coach House to a dwelling.
DECISION:	Deferred

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530629

Insufficient planning justification accompanies this application and the Committee therefore have deferred this item so that officers can invite this applicant to reconsider extending their £25,000 unilateral undertaking, which would mitigate against the potential harm this higher density development would have on the street scene and the overall ambience of this edge of Green Belt locality, given the proposed loss of trees and the opening up of the site. In particular, an affordable housing contribution is considered necessary to offset this potential harm.

Report Item No: 3

APPLICATION No:	EPF/2102/11
SITE ADDRESS:	3 Church Hill Loughton Essex IG10 1QP
PARISH:	Loughton
WARD:	Loughton St Marys
DESCRIPTION OF PROPOSAL:	Change of use from dwelling (C3) to pre-school day-nursery (D1)
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532018

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: (10) 001 Revision A, (11) 001 Revision C, (21) 001 Revision A, (21) 002 Revision A, (21) 003 Revision A, (20) 001 Revision A and (20) 002 Revision A. Supporting Planning Statement with Appendix 1 and Appendix 2.
- 3 The Nursery/ Daycare use hereby permitted shall not be open to customers outside the hours of 7:30 am to 18:30 pm Monday to Friday only and not at all on Saturdays, Sundays or Bank/Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.
- 4 There shall be no more than 45 children at the daycare/ nursery premises at any given time.
- 5 Prior to the use hereby approved commencing, two car parking spaces shall be marked out on the ground of the driveway of the site, off the Uplands, stating 'Staff Parking Only' and be retained as such thereafter.
- 6 The premises shall be used solely for Pre-School Day Nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 No development shall take place until details have been submitted and agreed in writing by the Local Planning Authority showing the position and extent of the outdoor playing area.
- 9 The number of children in the outdoor playing area at any one time shall not exceed 20.
- 10 Prior to first occupation and use of the development hereby approved, a Travel Plan, which shall include monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The provision of the Travel Plan shall be adhered to at all times, unless otherwise approved in writing by the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/2225/11
SITE ADDRESS:	Wentworth Court Albert Road Buckhurst Hill Essex IG9 6EH
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill East
DESCRIPTION OF PROPOSAL:	Retrospective application for provision of bin store area at front of site, with timber doors, existing close boarded fence to rear, and roofed over with cement fibre artificial grey slates.(Revised application now including sealing of all air gaps in the bin store served by the first two sets of double doors closest to the block, and provision of mechanical air extraction.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532435

CONDITIONS

- 1 The doors to the bin enclosure hereby approved shall be closed at all times except when being used for the deposit of refuse, and the bolts/mechanisms for ensuring the doors are closed shall be serviced and maintained on a permanent basis.
- 2 The section of the bin enclosure closest to the block of flats at Wentworth Court, and accessed by way of two sets of double doors as indicated on drawing no. EDEN/BS/01A, shall only be used for the deposit of recyclable items in five bins.
- 3 The sealing of air gaps in that part of the enclosure to be used for storage of recyclable items, and the provision of mechanical ventilation to that part of the enclosure to be used for storage of general waste, shall be carried out within three months of the date of this decision. Once implemented these measures shall be retained, and repaired as necessary, on a permanent basis.
- 4 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: EDEN/BS/01A and EDEN/BS/02A, together with the proposals detailed in the agents letter from Mr. S Ellis dated 24/10/11.

Report Item No: 5

APPLICATION No:	EPF/2320/11
SITE ADDRESS:	182 Roding Road Loughton Essex IG10 3BS
PARISH:	Loughton
WARD:	Loughton Roding
APPLICANT:	Mr Vijay Patel
DESCRIPTION OF PROPOSAL:	Demolition of the existing house and garage. Construction of a block of four one-bedroom flats; new vehicle access cross-over and external landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532788

The Committee's attention was drawn to a letter of representation from 180 Roding Road.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 14420/P/50, 51, 52, 53, 54, 55, 56, 57A, 57A, 58A, Location Plan A, SP-100 D.
- 3 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 The proposed window opening in the north east flank elevation shall be fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 Prior to the commencement of the development elevation details of the refuse storage facility, shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented prior to the first occupation of the development and thereafter be permanently retained.

- 6 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development,
- 7 The cycle parking facilities as indicated on the submitted plans shall be provided prior to the first occupation of the development and permanently retained thereafter.
- 8 Notwithstanding the requirements of condition 2 of this permission, the development shall not be commenced until details of the main entrance and associated porch of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 9 All material demolished from the existing building shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 10 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 11 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 12 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model

Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 13 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 14 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 15 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 16 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 17 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 18 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 19 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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AREA PLANS SUB-COMMITTEE SOUTH

1 February 2012

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Report Item No: 1

APPLICATION No:	EPF/0078/11
SITE ADDRESS:	30A Stag Lane Buckhurst Hill Essex IG9 5TD
PARISH:	Buckhurst Hill
WARD:	Buckhurst Hill West
APPLICANT:	Mr S. Patel
DESCRIPTION OF PROPOSAL:	TPO/EPF/15/98 Lime and Horse Chestnut trees - Fell and replace with Birches
RECOMMENDED DECISION:	Grant Permission (with a Legal Agreement)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524586

CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 Two replacement Birch trees, (*Betula utilis jacquementii*), minimum 5m in height, in minimum 150 litre containers and in a position as shall have been agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before this committee since it is an application to fell preserved trees and is recommended for approval (pursuant to Section P4, (3) of the Councils delegated functions).

Description of Proposal

1 lime & 1 horse chestnut: fell and replace with 2 birches.

Description of Site

The two trees are prominent in the front garden of the newly built detached property, in a Victorian residential street with generally small front gardens. The trees have historically been managed as pollards. As with others nearby this front garden is now used for parking. They were originally part of a line that stretched across the adjacent property, no. 30, before the two were divided

Relevant History

EPF/0075/09 re-pollarding of the application trees was granted as ongoing maintenance. Felling of a poor quality 3rd tree then present, a horse chestnut, was also agreed subject to replacement. The replacement has not been undertaken. The access has been widened so that replacement of this tree would no longer be possible at the same place.

EPF/1354/10 – 30 Stag Lane: agreement to fell 2 Horse Chestnuts in neighbouring property and replace with 2 Birch trees; approved with conditions 6th February 2009.

Relevant Policies

Epping Forest District Local Plan and Alterations LL9: felling of preserved trees-
'the council will not give consent to fell a tree...protected by a TPO unless it is satisfied that this is necessary and justified.....any such consent will be conditional upon the appropriate replacement of the tree'

Summary of Representations

PARISH COUNCIL: Object- Buckhurst Hill Parish Council are committed to retaining trees, however, we would welcome the views of the arboricultural officer.

30 STAG LANE: Fully support the application, as the existing trees are unsightly and in poor condition. To fell and replace them with birches will massively improve the street scene, as I believe ours have.

Issues and Considerations

The reasons put forward for the application are arboricultural, that is that the trees are considered to be of low quality with poor form and limited growth potential. In this instance replacement with 2 Silver Birch trees is part of the application; the applicant has agreed to plant using semi mature stock. The applicant has explained he was not aware of the need to replace the previously felled tree. To demonstrate that he is prepared to make good this requirement he has submitted a legally enforceable unilateral undertaking, in respect of the planting of all 3 replacements.

It is suggested that the main considerations are whether the reasons given are accepted and therefore the trees are of relatively limited amenity value and what weight should be given to the proposal to replace with 2 Birch trees.

The value of the existing trees

Both the lime and the chestnut are longstanding pollards. They are approximately 5 metres in height with around 2 metres of shoots. They are of some value in the street scene and the regrowth appears at present healthy. They could safely be retained and they would have amenity value. However, the many pruning wounds on the stem and incipient decay mean that re-pollarding would have to be undertaken on a very regular basis. This limits the potential value of the trees in the street scene.

Value of replacement trees

In the case of the 2 horse chestnuts previously present on the adjacent property it was accepted that 2 replacement birches would be the preferred option. It is suggested that this is a useful precedent for the current decision; 3 birch trees would fit in well with the location; they are suitable for the use as car parking; they are attractive trees capable of attaining a good size, grow relatively quickly and they would not require the continual re-pollarding that would be the case with the existing trees.

Conclusion

The Horse Chestnuts have limited amenity potential. The proposed replacements are considered suitable and are in keeping with the replacement trees at No. 30. The unilateral legal undertaking will also ensure planting of the additional tree, as well as giving greater powers to enforce the suggested condition. In the medium term there would therefore be a gain in local visual amenity. It is concluded that the proposal therefore accords with LL9.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117***

***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	1
Application Number:	EPF/0078/11
Site Name:	30A Stag Lane, Buckhurst Hill IG9 5TD
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1732/11
SITE ADDRESS:	Lingmere Vicarage Lane Chigwell Essex IG7 6LQ
PARISH:	Chigwell
WARD:	Chigwell Village
APPLICANT:	Mr Martin Higgins
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and erection of four detached dwellings, conversion of existing Coach House to a dwelling.
RECOMMENDED DECISION:	Grant Permission (with a Legal Agreement)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530629

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1191.4 Rev. A, 1191.5 Rev. A, 1191.6, 1191.7, 1208/07, 1208/09B (amended plan received 13 October 2011), and the following amended plan nos. 1208/01Q, 1208/02h, 1208/03h, 1208/04f, 1208/05G, 1208/06k and 1208/08B (Amended plans received 19 October 2011). Together with the supporting Design and Access Statement (August 2011 revised 12/08/11) and Great Crested Newt and Reptile surveys report date 10 July 2010
- 3 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the following proposed window opening(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently in that condition.
 - i) Plot 1, first floor flank south-east flank elevation
 - ii) Plot 3, first floor flank east and west flank elevation(s)
 - iii) Plot 4, first and second floor east and west flank elevation(s)
 - iv) Plot 5, first floor east and west flank elevation(s)and the existing window opening in
 - v) Plot 2, first floor front (west) elevation.

- 5 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved (Plots 1 to 5) shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Prior to first occupation of the development the vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the accesses at the junction with the highway shall not be less than 3.6 metres and shall all be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 12 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 15 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 16 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 17 Access to the flat roof areas of the approved dwellings Plot 3, 4, and 5, shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area. No furniture, including tables and chairs, shall be placed on the flat roof.
- 18 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 19 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class E shall be undertaken within Plot 1 and Plot 5 without the prior written permission of the Local Planning Authority.
- 20 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B and C shall be undertaken to any of the approved dwelling(s) contained within Plot 1 to Plot 5, without the prior written permission of the Local Planning Authority.
- 21 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 22 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size

as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 23 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 24 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 25 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

This item was on the agenda of the last meeting held on 4 January 2012 but was deferred by the Committee for the following reason:

Insufficient planning justification accompanies this application and the Committee therefore have deferred this item so that officers can invite this applicant to reconsider extending their £25,000 unilateral undertaking, which would mitigate against the potential harm this higher density development would have on the street scene and the overall ambience of this edge of Green Belt locality, given the proposed loss of trees and the opening up of the site. In particular, an affordable housing contribution is considered necessary to offset this potential harm.

In response, the applicant has submitted a second unilateral undertaking contribution of £25,000 and whilst not specifying for the purpose of affordable housing, it does state that money should be for the benefit of the community of Chigwell and therefore relate more locally to the development. The Committee must decide whether this tips the balance in favour of the development and offsets any potential harm to the locality. The existing unilateral undertaking contributing £25,000 towards the cost of the road improvement in Lingmere is still part of the planning application submission.

The revised report from the 4 January 2012 is repeated below

This item was on the agenda of the last meeting 02 November 2011 but was deferred by Members at the meeting. The Committee expressed concern about the size and siting of proposed House 1, but reserved their assessment of that matter. Members also resolved to defer consideration of the proposed development in order to secure/pursue:

- 1. The opinion of Thames Water on the adequacy of drains in the locality to accommodate the additional load that would be created by the development.*
- 2. Options for dealing with the condition of the road surface of Lingmere Close and the damage likely to be caused to it as a consequence of construction the proposed development.*
- 3. Legal advice on the legality of any planning obligations that may be sought and the legality of any decision to give planning permission on the basis that such agreements are offered.*
- 4. The advice of the District Council's Tree and Landscape officer on whether trees presently unprotected merit being made the subject of a tree preservation order and on the impact of the development on the amenity and landscape value of trees on site.*

The additional comments received have been added below.

Thames Water Comments on Drainage

With regards to the concerns about the sewerage infrastructure at this site, Thames Water do not object to this development as their records suggest that there is capacity available in the sewers for the increased input. In respect of surface water drainage, sewer upgrade works for the surrounding area would not be necessitated by this development.

Based on information provided for the number of dwellings, Thames Water has advised that with regard to sewerage infrastructure and water infrastructure, they have no objection to the above planning application.

Highways

The applicant has commented that the resurfacing of the road would necessitate the raising of existing dropped kerbs, gullies, manhole cover and frames, kerbs and the public footpath in front of the existing properties. The applicant is prepared to make a contribution of £25,000 towards the costs incurred by the Highway Authority in the upgrading of the highway surfacing to Lingmere Close.

With regards to the resurfacing/repairs of Lingmere Close, the Highway Authority points out that Lingmere Close is an adopted highway, maintainable at the public expense. As such, the Highway Authority would not ask for contributions towards the maintenance of it. Lingmere Close has been assessed by their Maintenance Manager and has deemed it to be structurally sound and in no need of resurfacing in the foreseeable future. A new road surface would cost well in excess of £25,000 and this figure would only cover the cost of tarmacing over a concrete road, but it would only crack and break up very quickly, becoming unsightly and in need of future repair at continuing maintenance costs to Essex County Council.

The Highway Authority does not seek contributions towards maintenance issues of the highway and would re-iterate that there is no engineering need for Lingmere Close to be re-surfaced.

The Planning Officer comment in this respect is that there is no engineering justification for this, leaving only a possible aesthetics improvement to the appearance of the road.

Legal Agreement

There is no justification under the CIL Regulation 2010 to seek a financial contribution in this case. The applicant has however provided a Unilateral undertaking to contribute £25,000 towards the cost for the road improvement.

Tree Officer's comments on Landscaping

On the 20th August 2010, 20 trees were given Tree Preservation Orders (TPO's). The Council's Tree Officers carefully assessed the impact of the proposed development on all the preserved trees and is satisfied that they will be retained. The Council's Arboricultural officer confirms that the remainder are not justified for retention.

From the trees that are shown to be removed, Tree 7 is one of a group of cypress conifer trees, which is given a low C category rating. Tree 8 is a young sycamore, again with a category C rating. The removal of this young tree will help to encourage tree 9 (Horse Chestnut which is a TPO) to become a better shaped specimen and health into maturity. Trees 10, 11, 12 and 13 are all cypress conifers, which are all classified with a C category grading and are of limited value. Therefore, apart from one young sycamore, all of the trees being removed are cypress conifers of very limited value in landscape terms. The benefit of the removal is that the remaining trees grow to a better shape and maturity.

The original report is repeated, without alteration:

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application is to demolish the existing one and a half storey detached building and replace it with four new, detached dwellings and to convert the existing coach house building into a dwelling with associated works.

The size of the proposed dwellings, are summarised as follows:

House 1 - A one and a half storey, 4-bed cottage style dwelling. Its access is the existing access off Vicarage Lane. Its appearance is a double gabled façade with a small, central dormer. It will be 7.2 metres high and its plan footprint measures 14.8 metres deep by 13.0 metres.

House 2 – This will be fashioned from the existing coach house that directly fronts onto Vicarage Lane. It is an elongated, timber clad building and it presently serves as ancillary accommodation to the main dwelling. This will be retained and converted into a one and a half storey, 3 bed dwelling. Its fenestration will be improved with new windows and roof lights to the bedroom at first floor level. The only addition will be a 2.2 metre deep by 6.0 metre wide extension to the west elevation of the building. This will provide the double garage for House 1. The height of the building is 5.6 metre high and its plan footprint 22.2 metres wide by 7.4 metres deep.

House 3 – This property will appear as a two and a half storey dwelling with a double integral garage. It is designed with a central dormer above a small portico entrance flanked by double storey front projections. The building will be 8.9 metres high and the plan footprint will be 14.1

metre deep by 17.6 metres wide. It will have its access off Lingmere Close and fronts onto Lingmere Close.

House 4 – This property will be a two and a half storey, 6 bed dwelling with a double integral garage. Its façade will have gable ends with 3, front facing dormers. It will be 9.5 metres high and its plan footprint measures 17.6 metres wide by 13.6 deep. This property will front onto Lingmere Close and its access will be off Lingmere Close.

House 5 - This site will accommodate a two and a half storey, 6-bed dwelling with a single integral garage. Its access will be off Lingmere Close. From the street its façade adopts 2, front facing dormers positioned to the side of a double storey front projection. It will be 8.6 metres high and its plan footprint will be 14.2 wide by 17.0 metres deep.

Description of Site:

The application site comprises approximately 0.5 hectare of land sited at the western corner of Vicarage Lane and north of Lingmere Close. Lingmere Close is a small cul de sac with 4 detached properties. The site is bordered by residential developments to the south and west, and open fields to the east and north. The plot of land is located on the edge of the built up area of Chigwell village. Although the Chigwell conservation area lies to the immediate north of the plot, the site does not form part of the Conservation area boundary.

The buildings that occupy the site are presently a detached, red brick built one and a half storey 'L' plan shaped building. There is also an associated detached building historically used as a coach house, it is rendered with timber cladding and immediately fronts onto Vicarage Lane.

The site is heavily treed and contains several TPO trees. The north and eastern boundary is within the Green Belt however, the site does not lie within the Green belt.

Relevant History:

EPF/0714/10 - Demolition of existing dwelling and erection of five detached dwellings. Coach House to be retained for ancillary accommodation. Withdrawn

EPF/2678/10 - Demolition of existing dwelling and erection of five detached dwellings. Coach House to be retained for ancillary accommodation. (Revised application)
This application was refused for the following reasons.

1. The siting and location of proposed dwelling house Nos. 2, 3, 4 and 5, due to their overall size, height, bulk and proximity to their corresponding boundaries, would result in a cramped form of development detrimental to the character and appearance of the area.
2. By reason of its siting and scale, House 2 would appear in sharp contrast to an important element of the character of the locality: its open or landscaped frontage to Vicarage Lane. That contrast would detract from the character and appearance of the locality and underscore the cramped appearance of the development as a whole.
3. The proposed House No. 2, as a result of its height and siting, will appear prominent when seen from adjacent land in the Green Belt, particularly if existing trees adjacent to the site boundary are significantly reduced in height or removed. As such it will result in development conspicuous from the Green Belt that detracts from its visual amenities.
4. The size and layout of the proposed building within the curtilage of House No. 2 and position of the proposed vehicle and pedestrian access into this site would put undue stress on nearby trees that would be harmful to their future viability.

Policies Applied:

GB7A	Conspicuous development in the green belt
CP1	Protecting the quality of the built environment
CP2-CP5	Sustainable design/ building objectives
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE2	Effect of New Buildings on surroundings
DBE3/ DBE5	Design and layout of new development in urban areas
DBE6	Car parking in new development
DBE8	Provision of Private Amenity Space
DBE9	Amenity Considerations
H2A	Residential Development on Previously Developed Land
H3A	Housing Density
ST1	Location of Development
ST2	Accessibility of Development
ST4	Highway safety
ST6	Vehicle parking
NC4/ NC5	Protecting Established Habitats of Local Interest
LL10	Protecting Landscape Features
LL11	Adequate Landscaping

SUMMARY OF REPRESENTATIONS:

8 letters were sent out to neighbouring occupiers and a site notice displayed at the front of the site and the following letters of representation have been received.

2 LINGMERE CLOSE – Objects because of the impact on the existing housing in the area and traffic concerns. Proposal will result in overdevelopment of the site and as such it is out of character and will be detrimental within the street scene. Plot 2 will be smaller than every other property. It has no garage and very little garden. An entrance immediately adjacent to the junction is proposed for Plot 2. There is not enough room to allow cars to turn around within the site. This will force vehicles to reverse and this is a highway safety concern.

If consent is however approved, the applicant through a Section 106 and Planning Conditions should pay for the cost to upgrade the existing pipe work for the sewage and water. The applicant should also pay for the cost to re-surface the entire road surface and pavement of Lingmere Close. Existing access from Lingmere should also be used for all construction traffic.

3 LINGMERE CLOSE – Strong objection on grounds that in broad terms, the existing dwellings that front onto Lingmere are of a similar size and footprint. The proposed houses are of a smaller footprint and different design. The street scene will become imbalanced. The proposal will see an overdevelopment of the site adversely affecting the character of the area to a significant and unacceptable degree. Proposal is too cramped and is not in keeping with existing houses. Impact on traffic generation. If consent is however approved, the applicant through a Section 106 should re-surface the entire road surface and pavement of Lingmere Close. All construction traffic should be through Vicarage Lane and 'not' Lingmere Close. Proposal should have been discussed with the existing residents of Lingmere Close prior to submitting the application.

THE END HOUSE, 4 LINGMERE CLOSE – No objection to the three new houses proposed in Lingmere Close. However, would like the developer to upgrade the existing pipe work for the sewage and water. The applicant should also pay for the cost to re-surface the entire road surface and pavement of Lingmere Close. Existing access from Lingmere should also be used for all construction traffic. The increase traffic is also of great concern.

5 LINGMERE CLOSE – Raise concern on a number of issues, principal bedroom windows at first and second floor of plot 3 and 4 will have a line of sight to patio and rear facing master bedroom. This will reduce their level of privacy. On plot No. 2 there is insufficient space for vehicles to turn within the site and leave in forward gear. Potential increase in highway safety and ongoing parking issues within Lingmere Close.

CHIGWELL PARISH COUNCIL – The Council OBJECTS to this application unless the developer can reach agreement for the resurfacing of the highway and replacement of drainage.

Issues and Considerations:

The main issues with regards to this proposal are the appropriateness of the new housing development at this location. Its design and appearance, its effect on the amenity of neighbouring occupiers, impact on highway safety. Also considered is the effect on the local wildlife and with regards to the wider landscape and protected trees.

In addition, because this application has previously been refused it will need to be considered whether this revised scheme has overcome the reasons from the previous refusal.

Sustainability of the sites location

The application site is on the edge of the Chigwell urban area it is within walking distance of Chigwell High Road and Chigwell Underground Station. There is a frequent bus route that serves the High Road. Given the proximity to the adjoining fields, it is also very close to public open space.

The application site is in a sustainable, urban location and is classed as previously developed Brownfield land. The principle for a housing development at this site is therefore acceptable.

Density – amount of development

The density of new housing development can be somewhere between 30 and 40 dwellings/hectare. In urban area such as this, 8-15 dwellings per hectare can be acceptable.

For this plot, the proposed four new dwellings with the additional dwelling that will be converted from the coach house will provide less than 10 dwellings per hectare. Policy H3A allows for lower densities depending on “the size and shape of the site, including any significant heritage, landscape or wildlife features”.

The site has a large number of trees some have TPO. The layout and siting of the new buildings, is such that three of these plots House 3, 4 and 5, will have their new access from Lingmere Close.

Whilst the occupiers of Lingmere Close have raised objections and concerns about the amount of development, only 3 of the 5 properties will be accessed directly from Lingmere Close. Each new dwelling provides adequate private amenity space within their rear gardens.

It is considered the proposed number of new dwelling proposed for this site is acceptable.

Scale, Layout and Siting of new development

For new development, the scale and layout will usually be required to conform to the existing street pattern. The Councils policies do not support a radical deviation from the general building line. A projection or recess in the building line of a few inches may however be a useful design

feature depending on the existing layout of the street. Characteristic features at upper floor levels and articulation of the roof form, may also be incorporated in order to achieve an acceptable design.

Lingmere Close is a small cul-de-sac with only 4 dwellings. The character of the area is individually styled buildings set in wide, spacious plots and the layout of the street is a curved sweeping pattern. Within Lingmere Close all the properties are detached, double storey and some of these provide accommodation within the roof.

The new layout proposed for House 3, 4 and 5 will see a continuation of this curved, sweeping pattern. The siting of the new buildings that will front onto Lingmere Close is slightly staggered, and the design and scale of the buildings will vary to complement the existing street. The articulation of the roofs will add variety to the street and as a consequence, the overall built form will complement the area.

The retention of the substantive tree screening will add benefit to soften the appearance from the street.

The overall scale and layout of the 4 new dwellings and the coach house to be retained when seen from Lingmere Close and Vicarage Lane will adopt varying heights and plan form. The new dwellings provide adequate set-backs from the edge of the roadway. The single storey elements will also benefit to allow the buildings not to appear cramped. This overcomes the previous reasons for refusal and the new dwellings will not appear out of keeping with the character of the wider area.

Design and appearance

Policy DBE1 and DBE2 of the Local Plan requires new development to be of a good design that respects their settings in terms of scale, proportion, siting and massing.

The concept for these new buildings is such that they adopt traditional features in their design approach. These are typified by their hip and half hipped roof form that will fit in with the vernacular of the area. External finishes would be facing brick work, plain tiles roofs and timber frames for the doors and windows. The proposed dwellinghouses are modern in many respects and some have been designed with small pitched roof dormers together with other architectural design features that will result in an attractive frontage to the buildings façade.

The proposed cottage style dwelling House 1 is acceptable in size, design and its appearance. The proposed dwellings Nos. 3, 4 and 5 have been reduced and will appear more in keeping with the existing street pattern.

Paragraph 15.69 of the Local Plan requires a minimum gap of 1.0 metre between each detached dwelling house to its side boundary. House 3, 4 and 5 are all sited a minimum 1.0 metre from each corresponding side boundary. The single storey garage also adds to reduce the bulk, size and scale.

The topographical landscape of this site has been taken into account at an early stage to determine the character, layout, pattern and form of the proposed development. The staggered layout of the buildings, the orientation and the improved design of the façade will result in an attractive street scene. With additional conditions for site levels and the types and quality of materials to be used, this scheme is acceptable and overcomes the reasons for the previous refusal.

Conspicuous development from the green belt

The plot lies to the south and west corner of the Green Belt. The site will be visible from an open area of Green Belt to the north. The site is also clearly visible from a nearby public footpath east of Vicarage Lane.

The Council will not allow conspicuous development from within or beyond the Green Belt which would have an excessive adverse impact upon the openness of the Green Belt.

With the previous proposal, a new dwelling would have been sited on the corner of Vicarage Lane and Lingmere Close. This has been revised and omitted from the scheme. With this revised proposal, the most prominent new dwelling from the Green Belt will be House 1 (House 2 is existing), which fronts onto Vicarage Lane. This property has been designed to appear as a cottage style dwelling with a lowered ridge and a more compact built form. House 3, the house immediately east of Vicarage Lane will be hidden in part by a tree on the corner of the plot. From the revision, the proposal will not appear visibly conspicuous from the Green Belt.

Private amenity space provision and amenity of immediate neighbouring occupiers

The private amenity space each of the 5 new dwellings provides is as follows,

House 1 – 4, bed 573 m²

House 2 – 3, bed 170m²

House 3 – 6, bed 320 m²;

House 4 – 6, bed 397m²

House 5 – 6, bed 483m²

The Council's policy expects rear gardens of new dwellings to have a minimum area of 20 square metres per habitable room in order to provide a reasonable area of outside amenity space. From the siting and layout of the new dwellings, each property will provide excess of the prescribed minimum. The private amenity space for all the dwellings is acceptable and will fit in with the scale and character of the area.

The properties that will be most affected will be dwellings in Lingmere Close. The properties closest to the site to its eastern and southern boundary are No. 1 Lingmere Close and Brimure, which fronts onto Vicarage Lane.

The siting of House 5 will be a minimum 3.0 metres from the property at No. 1 Lingmere. There are several TPO trees along the boundary and this substantive attractive soft landscape feature that will be retained will to a great degree, screen the property from their view.

The closest building to Brimure will be sited some 16 metres from their rear garden fence. With new landscape features, this property will not be overlooked.

The siting of the new buildings has been carefully considered. The objections received from the occupiers of Lingmere Close have been taken into account and their grounds of objection considered in detail. However; the siting, position and scale of the new buildings have been carefully considered and will not result in loss of light, outlook, and privacy or harm the visual amenity of neighbouring occupiers.

Landscaping

There are a number of mature trees and hedgerows on the site. Several trees within the site have been recently been TPO. For this reason, there are significant landscaping implications for this site. The scheme however, has made considerable efforts to safeguard soft landscape features

within the site and will provide additional tree screening to safeguard the amenity of the new House 1.

In order to safeguard existing landscaping and provide sufficient screening for this development, any approval for this site will need a landscape condition.

Effect on nearby Conservation Area

This site is set adjacent the Chigwell Village Conservation Area. Substantial greening on the north and western boundaries of this proposal will soften the effect of this new development in the landscape and retain the screening that affords to this Conservation Area.

As such, the Conservation Officer does not wish to raise any objections to this proposal as it will not have a detrimental impact upon the character and appearance of this Conservation Area.

Contaminated Land

The site has been identified as potentially contaminated due to the presence of an in-filled lake and man made ground. Any grant of planning permission should therefore have a phased land contamination investigation; this can be secured by a condition.

Land Drainage

The Land Drainage Officer does not wish to raise an objection because the site is not within a flood risk zone and no foul or surface water drainage is required. The size of the proposed development is such that it is necessary to avoid additional surface runoff. This can be secured with a planning condition.

Archaeological Implications of this site

The Historic Environment Management Team of Essex County Council has identified the site as having archaeological implications. Given the nature and scale of the proposals, this is the last chance to record the development of the site and to 'preserve by record' those structures targeted for demolition. In view of this, a condition will be made with the grant of planning approval in line with Planning Policy Statement 5: Planning for the Historic Environment

Parking and Highway safety

The new dwellings will each have one or two garage(s) and in addition, parking bays at the front for off street parking. The provision of garages is an appropriate design-led solution to the provision of car parking and other storage needs which are likely to be associated with large family houses. Therefore this level of parking provision is acceptable.

The neighbours have raised objections on grounds that the proposal will raise highway safety concerns and exacerbate the parking situation. Although this development would result in more cars using the site, this however, will not result in detrimental harm to highway safety. The highway authority would not wish to raise an objection to this scheme, subject to conditions.

It is also noted the comments received from neighbours requesting possible financial contributions should be imposed on the developer/ applicant. A financial contribution is not necessary or justified for this type of development towards roadway/ pavement improvements at Lingmere Close because of the number of dwellings proposed with this scheme.

Other considerations

On the issue of possible contributions for this site for highway improvement and drainage, given the size of the plot at just under 0.5 hectares it falls short of the size for contributions. In addition, the number of dwellings proposed is for 5 new dwellings, it also falls significantly short of the threshold for contributions.

A number of neighbours in Lingmere and the Parish Council have raised objections on grounds that the applicant/ developer should improve the drainage and resurface the roadway of Lingmere Close and its footpath.

Under the test of Circular 1/97, these requirements should not be imposed upon the applicant/ developer. This is because for the works that will need to be carried out, it will not be reasonably related in scale to the proposed development. For this reason, it will not be reasonably justified to impose such a condition or seek such financial contributions through a Section 106 agreement from the applicant/ developer.

Conclusion:

This proposal to redevelop this site to provide four new dwellings and to convert the existing coach house into a separate dwelling is acceptable as part of a comprehensive development of this site. The layout, scale and siting will complement and fit in with the character and appearance of the existing street pattern.

The proposal overcomes the reasons for the previous refusal and despite objections and concerns raised by neighbours and this has been addressed in the body of this report; the proposal on balance complies with relevant Local Plan policies. It is therefore recommended for approval with conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

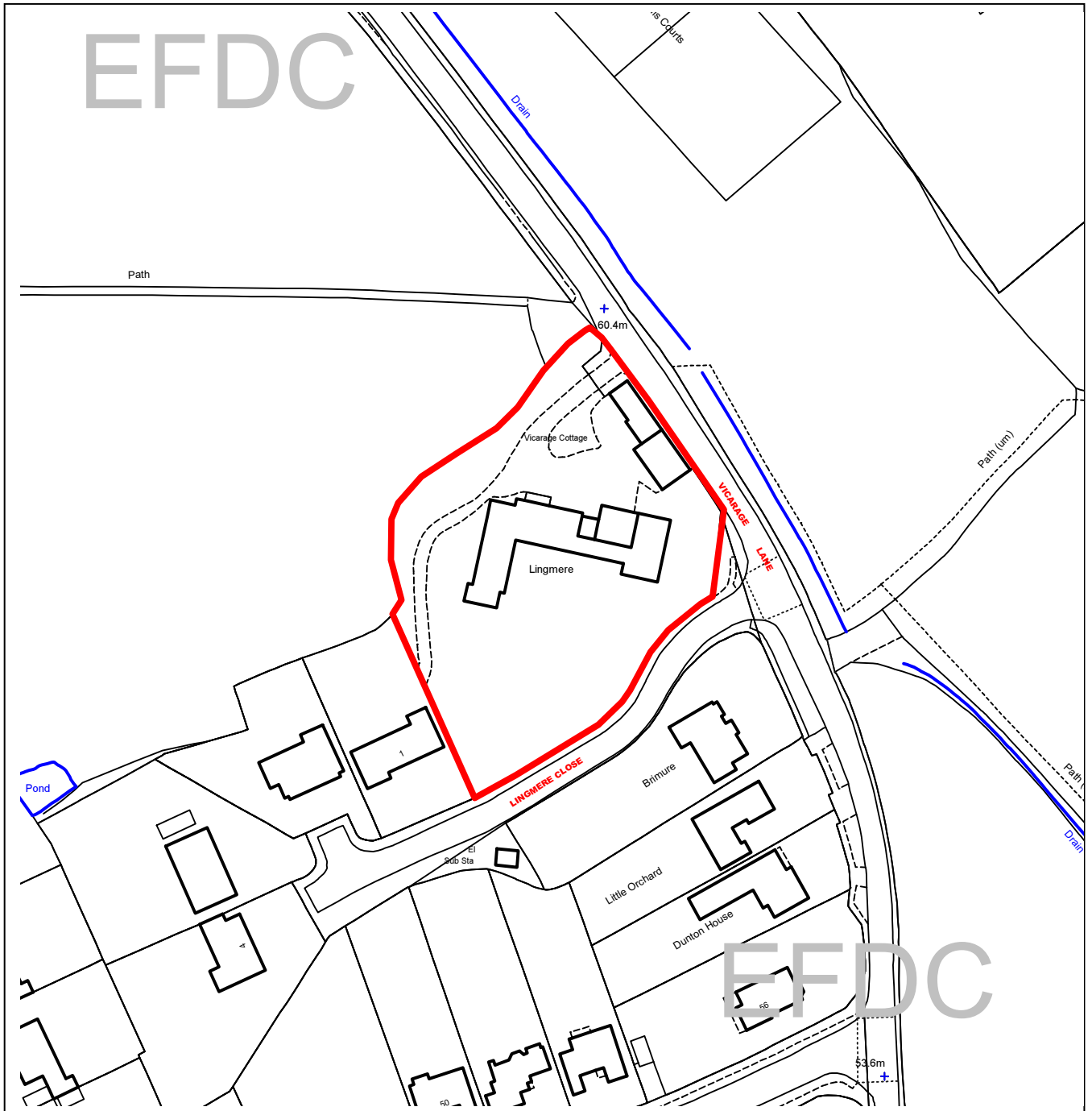
***Planning Application Case Officer: Ms Paula Onyia
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	2
Application Number:	EPF/1732/11
Site Name:	Lingmere, Vicarage Lane, Chigwell, IG7 6LQ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2041/11
SITE ADDRESS:	61 Manor Road Chigwell Essex IG7 5PH
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Sudhir Chopra
DESCRIPTION OF PROPOSAL:	New railings and gates on front boundary to Manor Road and relocation of westerly vehicular access.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531786

CONDITIONS & REASONS or REASON FOR REFUSAL

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of vegetation/shrubs to be retained, and/or new planting proposed, in the front garden area behind the railings hereby approved shall be submitted to and approved by the local planning authority before any works commence on site. Once approved this planting shall be maintained, or replaced as necessary, on a permanent basis.
- 3 In connection with the construction of the new drive in the front garden the following details, drawn up by a suitably qualified person, shall be submitted to and approved by the local planning authority before any works commence on site - a plan showing the location of the nearby Oak tree; details of its crown spread, height, and its diameter at 1.5m in height; a constraints plan; tree protection plan; and supervision details.
- 4 Prior to commencement of works details showing the reinstatement of the redundant vehicular access, including reinstatement of the highway verge and to full height the kerbing, shall be submitted to and approved in writing by the local planning authority. The approved details shall then be implemented within 3 months of the new access first being used by vehicles.
- 5 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- 6 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

Large detached house on the south side of Manor Road. In common with other neighbouring properties the house is well set back from the road. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

New railings and gates on front boundary to Manor Road and relocation of westerly vehicular access

Relevant History:

None

Policies Applied:

DBE2 - Effect on neighbouring properties
ST4 – Road safety
LL8 – Works to preserved trees
LL11 – Landscaping

Summary of Representations:

CHIGWELL PARISH COUNCIL – object – on grounds that the proposed development will be of an unnecessary ornate outline and outside of the guide given by Epping Forest District Council.

NEIGHBOURS – 5 properties consulted, and one reply received:-

59/63 MANOR ROAD – The new gates will be a nice addition to the street scene and will replace an old non working pair of a similar height. We have no objection and support the applicant.

ESSEX CC HIGHWAYS DEPARTMENT – The Highway Authority would not wish to raise an objection to this proposal subject to 3 conditions requiring 1) details of the reinstatement of the redundant vehicular access, including the highway verge and kerb, to be submitted to and approved prior to commencement, 2) no unbound material to be used on the surface of the new access within 6m of the highway boundary, and 3) details of the means to prevent surface water entering the highway to be submitted and approved prior to commencement.

EFDC TREES AND LANDSCAPE SECTION – Originally requested a tree survey, tree constraints plan and tree impact assessment given that a blanket tree preservation order covers this site and

adjoining properties. Further details were subsequently submitted - and whilst these go some way to providing a method statement for how the drive and piers to the gates will be constructed, there is still some information missing such as details of location, crown spread and crown height of tree.

Issues and Considerations:

The application seeks approval for front railings to be erected along the frontage of the property at a height of 1.85m, but interspersed with two sets of metal gates supported by brick piers. The property currently has two vehicular access points, and approval is also sought to relocate the western access to a new position alongside the existing one.

While there are no trees of consequence in the front garden an Oak tree in the front garden of number 59 lies close to the boundary and its canopy considerably overhangs the front of the application site. The repositioning of the vehicular access will mean the new drive being constructed closer to this tree and therefore its roots and canopy. The applicant's agent has submitted fresh information as to how this tree will be protected from building works and while these are in part satisfactory, further details of protection drawn up by a specialist are required, and these further details are to be requested via a condition. Essex CC highways have no objection to the repositioning of the vehicular access subject to 3 conditions being imposed, and these are set out in full as conditions 3, 4, and 5 above.

It is to be regretted that an existing hedge along the frontage is to be removed - and in this context an appropriate balance needs to be struck between the desire of householders to secure their properties set against the wider need to maintain visual amenity in the street scene. The proposed railings and gates are of an appropriate height with the railings being a maximum height of 1.85m. The railings will offer views of the front garden and will be a more open enclosure than some of the new frontage enclosures on the opposite side of the road which are characterised by more brick walled sections or more brick piers. The proposed railings and gates are therefore acceptable in design and form, but vegetation/shrubs behind the railings will soften their appearance further - and to this end a condition is proposed requiring details of existing and proposed planting to be approved prior to commencement of works. The Parish Council objects to the ornate design of the railings stating that they lie outside the guideline given by the District Council. However, there is no such guideline for boundary treatments, and it is undesirable for planning decisions to be overly influenced by detailed design issues which can be subjective in nature.

Conclusion:

Having regard to the issues raised above planning permission is recommended subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

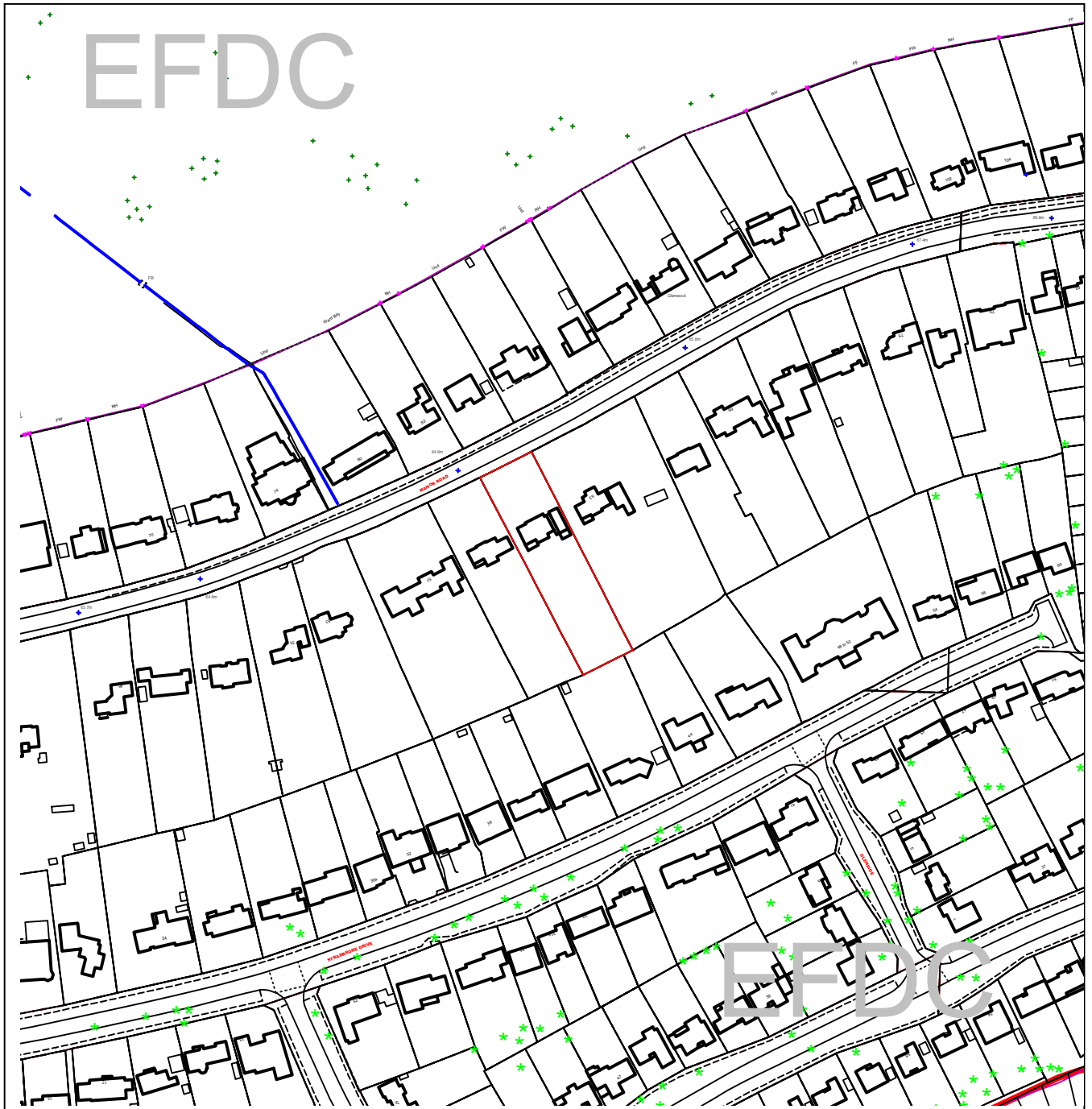
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	3
Application Number:	EPF/2041/11
Site Name:	61 Manor Road, Chigwell IG7 5PH
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2317/11
SITE ADDRESS:	36 York Hill Loughton Essex IG10 1HT
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr David Coles
DESCRIPTION OF PROPOSAL:	The addition of a gabled first floor extension to the rear of the property, the removal of a glazed roof to the rear conservatory and construction of a new zinc roof with roof lights and brick parapet. The removal of a flat glazed roof over the kitchen and the incorporation of a new zinc roof with roof lights and valley gutters. The removal of a flat roof over the existing bathroom and adding a new small slate hipped roof. Removal of 19th century casement window and re-using on the proposed extension. Addition of a small casement window to the rear of the Utility range. Internal Alterations.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532785

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Site:

The application site consists of a double storey mid terrace style dwelling finished from weatherboard painted white, and comprises of a slate roof. The dwelling is Grade II Listed and is set within the York Hill Conservation Area.

The site itself is long and narrow in shape and there is a moderate slope that falls from the rear towards the front. There is no vehicle access. Pedestrian access to the site is via a shared public footpath that runs along the row of terracing housing.

Description of Proposal:

The applicant seeks planning permission for the construction of a first floor extension to the rear of the property, replacing the existing glazed roof to the rear conservatory and the glazed roof over the kitchen with a new zinc roof, and removing the flat roof over the bathroom and replacing it with a new slate roof. The extension would measure 2.8m by 3.5m. A parallel application for listed building consent, ref EPF/2323/11, appears elsewhere on this agenda.

Relevant History:

EPF/0100/87 - LB application for a conservatory (approved)

EPF/0074/90 - Glazed roof to kitchen (approved)

EPF/1810/11 - Addition of a first floor extension to the rear of the property providing new bedroom 2. The removal of the glazed roof to the rear conservatory and replacement slate roof with two conservation roof lights. The removal of the flat glazed roof over the existing Kitchen and the incorporation of a new zinc roof with two glazed roof lights and valley gutters. The removal of the flat roof over the existing bathroom and adding a new small slate hipped roof. Addition of a small casement window to the rear of the existing single storey range. Internal alterations. (withdrawn)

EPF/1824/11 - Grade II listed building consent for the proposed addition of a first floor extension to the rear of the property providing new bedroom 2. The removal of the glazed roof to the rear conservatory and replacement slate roof with two conservation roof lights. The removal of the flat glazed roof over the existing Kitchen and the incorporation of a new zinc roof with two glazed roof lights and valley gutters. The removal of the flat roof over the existing bathroom and adding a new small slate hipped roof. Addition of a small casement window to the rear of the existing single storey range. Internal alterations. (withdrawn)

Policies Applied:

CP2 – Protecting the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions
HC7 – Development within conservation areas
HC10 – Works to listed buildings
HC12 Development affecting the setting of listed buildings

Summary of Representations

LOUGTON TOWN COUNCIL: Objects for the following reason:

The Committee considered the revised plans were only a marginal improvement and reiterated its previous objection, which was:

The Committee approved of the intention to tidy up the present buildings at the rear by the removal of the flat roofs, and the quality and specification of the materials being incorporated into the scheme. Members considered the harm of the development would cause to the amenities of the neighbour, outweighed any contributions these proposed alterations would make.

The committee therefore OBJECTED to this application, which was considered contrary to Policies DBE9 and DBE11 of Epping Forest District Council's adopted Local Plan and Alterations. Members were additionally concerned the proposal would interfere with the view of the terrace of listed buildings, nos 34 to 38 in York Hill, from Forest Way.

NEIGHBOURS

Letters were sent to adjoining and abutting occupiers by post and a site notice was placed on site. Two letters of objection have been received from the following occupiers:

32 YORK HILL, LOUGTON – The proposed development would result in a loss of light to habitable rooms, would be out of character to the surrounding locality and the York Hill Conservation area and it might set a precedent for similar extensions to number 34.

HILLS AMENITY SOCIETY, LOUGHTON – The proposed development would cause a loss of light to adjoining neighbours and set a precedent for similar extensions on nearby properties.

Issues and Considerations:

The main issues to be addressed in this case are:

- Design and appearance
- Neighbouring amenities

Design and appearance:

Currently, the single storey element to the rear of the dwelling is little bit disjointed, in a poor condition and is not really sympathetic to the character of the surrounding locality. Although the proposed works would not be seen from York Hill, they would be easily seen from Forest Way and therefore the development should be of a high standard to reflect the quality of the surrounding environment. The proposed works, which include the first floor extension and the alterations to the roofs of the ground floor extension, would vastly improve upon the visual appearance of the rear façade of the dwelling.

The proposed works would be appropriate in relation to their size and scale in that they would not result in the rear façade of the dwelling appearing excessive in terms of bulk and massing. They would appear subservient and form an integral part to the original dwelling.

The application was referred to Council's Heritage officer who advised that they had no objections towards the proposed development. It was stated that the extension and the alterations to the roofs of the single storey elements would be sympathetic to the character and appearance of the York Hill Conservation Area in terms of their scale, massing, height and detailed design. For those reasons the development would also not have a harmful impact upon the setting of nearby listed buildings.

Neighbouring amenities:

In respect to the Town Council's and the neighbours concerns, the proposed development would not result in an unsatisfactory amount of a loss of light to adjoining properties' habitable room windows and private garden areas to warrant a reason of refusal. Due to the small nature of the development and the orientation of the site, adequate sunlight and daylight would be achieved throughout most periods of the day.

Only one modest window is proposed in the rear elevation of the first floor extension. That would replace an existing rear facing first floor window. As such, there would not be a greater material difference in relation to overlooking from those of existing conditions.

The proposed development would not result in a visually intrusive or an overbearing development when viewed from adjoining properties.

The proposed development would not result in a harmful impact upon the amenities of adjoining occupiers.

Conclusion:

In conclusion, the proposed development is sympathetically designed and consequently would preserve the character of the locality and the York Hill Conservation Area in particular. The development would also not result in a harmful impact to the amenities enjoyed by adjoining occupiers. The development therefore accords with the policies contained within the Adopted Local Plan and Alterations and it is recommended that the application be granted permission subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	4 & 5
Application Number:	EPF/ 2317/11 & EPF/2323/11
Site Name:	36 York Hill, Loughton, IG10 1HT
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/2323/11
SITE ADDRESS:	36 York Hill Loughton Essex IG10 1HT
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	Mr David Coles
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for the addition of a gabled first floor extension to the rear of the property, the removal of a glazed roof to the rear conservatory and construction of a new zinc roof with roof lights and brick parapet. The removal of a flat glazed roof over the Kitchen and the incorporation of a new zinc roof with roof lights and valley gutters. The removal of a flat roof over the existing bathroom and adding a new small slate hipped roof. Removal of 19th century casement window and re-using on the proposed extension. Addition of a small casement window to the rear of the Utility range. Internal Alterations.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532804

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 Additional drawings showing details of the proposed new windows, doors eaves, fascias, cills, structural openings and junctions with the existing buildings by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority prior to the commencement of works.
- 4 The extent of the wall to be removed between the kitchen and dining room shall be agreed in writing with the Local Planning Authority following investigation of the fabric beneath the existing finish.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Site:

The application site consists of a double storey mid terrace style dwelling finished from weatherboard painted white, and comprises of a slate roof. The dwelling is Grade II Listed and is set within the York Hill Conservation Area.

The site itself is long and narrow in shape and there is a moderate slope that falls from the rear towards the front. There is no vehicle access. Pedestrian access to the site is via a shared public footpath that runs along the row of terraced housing.

Description of Proposal:

The applicant seeks Grade II Listed Building consent for the construction of a first floor extension to the rear of the property, replacing the existing glazed roof to the rear conservatory and the glazed roof over the kitchen with a new zinc roof, and removing the flat roof over the bathroom and replacing it with a new slate roof. The extension would measure 2.8m by 3.5m. A parallel application for planning permission, ref EPF/2317/11 is reported elsewhere on this agenda.

Relevant History:

EPF/0100/87 - LB application for a conservatory (approved)

EPF/0074/90 - Glazed roof to kitchen (approved)

EPF/1810/11 - Addition of a first floor extension to the rear of the property providing new bedroom 2. The removal of the glazed roof to the rear conservatory and replacement slate roof with two conservation roof lights. The removal of the flat glazed roof over the existing Kitchen and the incorporation of a new zinc roof with two glazed roof lights and valley gutters. The removal of the flat roof over the existing bathroom and adding a new small slate hipped roof. Addition of a small casement window to the rear of the existing single storey range. Internal alterations. (withdrawn)

EPF/1824/11 - Grade II listed building consent for the proposed addition of a first floor extension to the rear of the property providing new bedroom 2. The removal of the glazed roof to the rear conservatory and replacement slate roof with two conservation roof lights. The removal of the flat glazed roof over the existing Kitchen and the incorporation of a new zinc roof with two glazed roof lights and valley gutters. The removal of the flat roof over the existing bathroom and adding a new small slate hipped roof. Addition of a small casement window to the rear of the existing single storey range. Internal alterations. (withdrawn)

Policies Applied:

HC10 – Works to listed buildings

Summary of Representations

LOUGHTON TOWN COUNCIL: Objects for the following reason:

The Committee considered the revised plans were only a marginal improvement and reiterated its previous objection, which was:

The Committee approved of the intention to tidy up the present buildings at the rear by the removal of the flat roofs, and the quality and specification of the materials being incorporated into the scheme. Members considered the harm of the development would cause to the amenities of the neighbour, outweighed any contributions these proposed alterations would make.

The committee therefore OBJECTED to this application, which was considered contrary to Policies DBE9 and DBE11 of Epping Forest District Council's adopted Local Plan and Alterations. Members were additionally concerned the proposal would interfere with the view of the terrace of listed buildings, nos 34 to 38 in York Hill, from Forest Way.

NEIGHBOURS

Letters were sent to adjoining and abutting occupiers by post and a site notice was placed on site. Two letters of objection have been received from the following occupiers:

32 YORK HILL, LOUGHTON – The proposed development would result in a loss of light to habitable rooms, would be out of character to the surrounding locality and the York Hill Conservation area and it might set a precedent for similar extensions to number 34.

HILLS AMENITY SOCIETY, LOUGHTON – The proposed development would cause a loss of light to adjoining neighbours and set a precedent for similar extensions on nearby properties.

Issues and Considerations:

The main issue to be addressed is whether the proposed development would preserve the special historic and architectural interest of the building. The issue of impact on amenity is dealt with under planning application EPF/2317/11. It is not a material consideration when assessing an application for listed building consent.

The application was referred to Essex County Council's Historic Buildings Officer who advised that they had no objections to the proposed development subject to conditions placed on the granted permission. The proposed works would be subservient to the original dwelling, which would remain traditional in character. In terms of their detailing they would safeguard and respect the detailing and historic fabric of the building. Accordingly the works would preserve the special interest of the building.

Conclusion:

Having regard to specialist advice it is clear the proposal would preserve the special interest of the building. The proposed works are in accordance with the policy contained within the Adopted Local Plan and Alterations and therefore it is recommended that the application be approved subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Report Item No: 6

APPLICATION No:	EPF/2351/11
SITE ADDRESS:	Land to rear of 165 Manor Road Chigwell Essex IG7 5QA
PARISH:	Chigwell
WARD:	Grange Hill
APPLICANT:	Mr Minal Harji
DESCRIPTION OF PROPOSAL:	New garage enclosure.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532872

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1750/01; 1750/02 Revision A
- 4 The garages hereby permitted shall be fitted with electrically operated automatic doors.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is occupied by 165 Manor Road (drycleaners with flats above), its rear yard and an area of hard standing to the rear which is enclosed by two metre high close boarded timber fencing on three sides. It is within this part of the site that the garage is proposed.

Description of Proposal:

This application seeks planning permission for the erection of a double garage. The garage would have a footprint of 6.3m x 8.8m and a flat roof with a height of 3 metres.

Following receipt of the comments made by Chigwell Parish Council, the Applicant has submitted an amended plan which is annotated to confirm that the doors within the proposed garage would be automated.

Relevant History:

Planning permission has been granted for extensions to the existing building at 165 Manor Road, but there is no relevant history relating to the erection of buildings on the rear part of the site.

Planning permission has been granted for a similar development on the adjacent site to the south:

EPF/1532/07. Outline application for the erection of three domestic garages. Refused 01/10/2007. Subsequently approved at appeal.

EPF/0988/11. Reserved matters for the erection of three domestic garages following outline planning permission. (Ref EPF/1532/07). Approved 26/07/2011.

Policies Applied:

DBE1 – Design of New Buildings

ST4 – Road Safety

ST6 – Vehicle Parking

Summary of Representations:

Number of neighbours consulted: 10

Site notice posted? Yes – on 1st December 2012 – on lamppost on the opposite side of Grange Crescent to the site.

Responses received:

CHIGWELL PARISH COUNCIL. Objection. The Council objects to this application on the grounds of road safety concerns when entering and exiting the proposed garage enclosure.

Issues and Considerations:

The main issues in this case relate to the appearance of the garages and the impact on highway safety.

Appearance

The proposed garage would be of simple construction, in keeping with the main building within the site. Subject to the use of matching external materials, it is considered that the development would have an acceptable appearance.

Highway Safety

Chigwell Parish Council has objected to the planning application, citing concerns over highway safety. However, County Highways have been consulted on the planning application and have not

raised concern in respect of highway safety and the positioning of the garage would not be dissimilar to that approved on the adjacent site.

The proposal has been amended to indicate the use of automated doors within the garage. Due to the short distance between the garage and the highway, automated doors are considered to be a necessity to ensure that there is no harm to highway safety caused by cars being parked, partially obstructing the highway, whilst the garage doors were manually opened/closed. Accordingly, if planning permission is granted then the use of automated doors should be required by condition (as was the case when the consent was granted for the garaging on the adjacent site).

Conclusion:

In light of the above appraisal, it is considered that the proposed development would have an acceptable appearance and would not harm highway safety, subject to the imposition of the planning conditions attached. It is, therefore, recommended that planning permission be granted.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/2351/11
Site Name:	Land to rear of 165 Manor Road Chigwell, IG7 5QA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2371/11
SITE ADDRESS:	22 Forest Road Loughton Essex IG10 1DX
PARISH:	Loughton
WARD:	Loughton Forest
APPLICANT:	Eldar Properties Ltd
DESCRIPTION OF PROPOSAL:	Change of use of former tool shop (A1 retail shop) to A3 (restaurant/cafe use)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532991

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority before any A3 use commences. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with BS EN 1825-1 and designed in accordance with BS EN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.
- 3 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority before any A3 use commences, and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 Details of measures to suppress noise from mechanical equipment to be used in connection with the A3 use, and details of insulation to be provided between this ground floor unit and the flat over, shall be submitted to and approved by the local planning authority before the A3 use commences, and once approved these details shall be implemented in full and maintained thereafter to the satisfaction of the local planning authority.

- 5 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.
- 6 Details of the opening times of the A3 use hereby approved shall be submitted to and approved by the local planning authority before the use commences, and once approved these opening times shall be adhered to on a permanent basis unless a variation is approved in writing by the local planning authority.

This application is before this Committee since 1) the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal, and 2) because more than 2 objections have been received that are material to the planning merits of the proposal - (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A. (g) and (f).

Description of Site:

A vacant and recently modernised retail unit located on the west side of Forest Road some 55m from its junction with the High Road. The property has a flat over its front section but the middle and rear sections are just one storey. The property is not listed nor does it lie in a conservation area. Adjoining properties consist of a B1 office business premises at number 14-18 Forest Road which is set back from the road, and an opticians at 24 Forest Road.

Description of Proposal:

Change of use of former tool shop (A1 retail shop) to A3 (restaurant/café use).

Relevant History:

EPF/522/11 granted approval for alterations to the ground floor shop, including the provision of a new shop front, raised roof over the central section of the building, and the change of use of the first floor front storage area to a self contained flat. These works have been implemented.

Policies Applied:

DBE9 – Loss of amenity.
ST4 – Road safety.
TC1 – Town centre hierarchy.
TC3 –Town centre function.

Summary of Representations:

LOUGHTON TOWN COUNCIL – object – the applicant has not demonstrated that the recently refurbished premises could not be let as an A1 use outlet, as the site had been marketed only for some 4 – 5 months. Members deplored the loss of another retail outlet and commented that Forest Road was already over supplied with restaurants and pubs.

NEIGHBOURS – 25 properties consulted including houses to the rear in Smarts Lane, and three replies received:-

LOUGHTON RESIDENTS ASSOCIATION - The property has only been marketed in its current state since Aug 2011 and this is insufficient time in the current climate to justify a change of use, and it is unrealistic to take any account of any marketing done before the premises were so significantly modernised. In 2.17 of the supporting statement the applicants assert that the change of use will add to the vitality of the area - this is of course nonsense –as well as the restaurants on the High Road there are two restaurants in Forest Road itself (plus the pubs further down) and the loss of a retail outlet is likely to damage the vitality of the area. If however the Council approves the application we would ask for the standard condition limiting working hours.

ABACUS HOUSE, 14-18, FOREST ROAD – object since there are no parking facilities for customers; there are already 2 restaurants in Forest Road and plenty more on the High Road. If approved we would have a restaurant on either side of us and we would be affected by smells, aromas, extra litter and general noise.

BENGAL SPICE, 12, FOREST ROAD – object to a new restaurant due to parking difficulties in the road which prevent my business from opening during lunchtimes - and hence we are open only in the evenings. If another business is allowed to open parking problems will increase affecting homes, businesses and it would have a negative impact on my operations.

Issues and Considerations:

The main issues raised by this application are a) whether the proposed use conforms with town centre policies designed to safeguard the vitality of the High Road shopping centre, b) whether the use is acceptable in terms of parking, and c) consideration of any amenity or odour nuisance the proposed use could cause to neighbours.

Does the use comply with town centre shopping policies?

The property is located within the Loughton town centre principal shopping area. However, it is located in a peripheral location outside of the key frontage, and hence the 30% non retail limit in a key frontage is not relevant to this application. Policies TC1 and in particular policy TC3 permit 'the provision of new retail and *other town centre uses* that make centres attractive and useful places to shop, work and visit throughout the day'. A café or restaurant comes within the terms of other town centre uses, and hence the proposal complies with this section of the policy.

Objections received to this application from the Town Council and the Loughton Residents Association argue that the property has only been marketed for retail use for only 4/5 months since it was modernised following the planning consent EPF/522/11. However the requirement that a shop has to be marketed for a period of time is in fact a part of policy TC6 which relates to local shopping parades and corner/village shops – and not to principal town centres in which this property is located.

The property lies in a less favourable side street location close to a High Road, and given the changes to retail development in recent decades it is not necessarily surprising that a retail tenant has not come forward to take this vacant shop on. While there is concern over the number of A3 uses in Loughton, a café or restaurant use is preferable than a vacant unit, and it is clear that modern 'life styles' support a large number of 'eating out' establishments that was not the case 20 or 30 years ago. Policy TC3 does allow for the rejection of proposals which would result in stretches of 'dead' daytime frontages. However, this side street location is not a significant retail frontage - indeed on one side at number 14-18 Forest Road there is no frontage with an office building being recessed 12m away from the pavement. A refusal on these grounds would be unreasonable, and in any event a 'daytime' A3 use e.g. a cafe, (which could be proposed), would not constitute a dead frontage.

Parking issues

Objections have been received on grounds of exacerbation of parking problems. However, while a café or restaurant use will attract some car borne trade this is true of all shops, including the longstanding previous use of the property as a tool shop and hardware store. Parking is not allowed on this west side of Forest Road during the working day but there are car spaces available on the opposite side of the road. There are also town centre car parks available to use including the two car parks at the foot of Smarts Lane and High Beech Road which are located some 150m away, and the Sainsbury's car park located some 400m away. As mentioned previously this is a town centre location served not only by car parks but by bus and tube services, and it would be unreasonable to refuse permission on grounds of aggravation of car parking problems.

Amenity issues

The application for change of use is a speculative one in that, having marketed the property unsuccessfully for an A1 retail use, the applicants hope that interest will be shown if they gain consent for an A3 use. This type of speculative application is not uncommon and it is unreasonable to seek a specific user, but it does mean that Environmental Services have no details of the nature of the use and the type of cooking involved in order to satisfactorily make their comments. However, having regard to the nature of the property and site, an extract chimney could be provided if necessary to this property without undue loss of visual amenity and the details of an extraction system can be covered by a condition.

Although a residential flat has now been created above the ground floor unit, sound insulation can be provided between the two floors, and this too can be covered by a condition. When carrying out modernisation of the premises last year the applicants provided this first floor flat in what was previously a storage area, and new first floor windows instead of bricked up openings have considerably improved the appearance of the property. Apart from this first floor flat there are no other residential dwellings that physically adjoin the property. It should be stressed that an A3 use can include a daytime café which is not open at night and which does not carry out intensive cooking, and such a use has limited potential to detract from amenity. However, imposition of relevant conditions will ensure that appropriate controls on amenity issues will still be available if required.

Conclusions:

While there are some understandable concerns about the number of A3 uses in the town centre an A3 use in this peripheral side street location is allowed by town centre policies. It would be unreasonable to refuse consent to this acceptable town centre use on grounds of aggravation of parking problems, and amenity issues can be controlled by conditions once the nature of the end user is identified. With these points in mind planning permission is therefore recommended subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

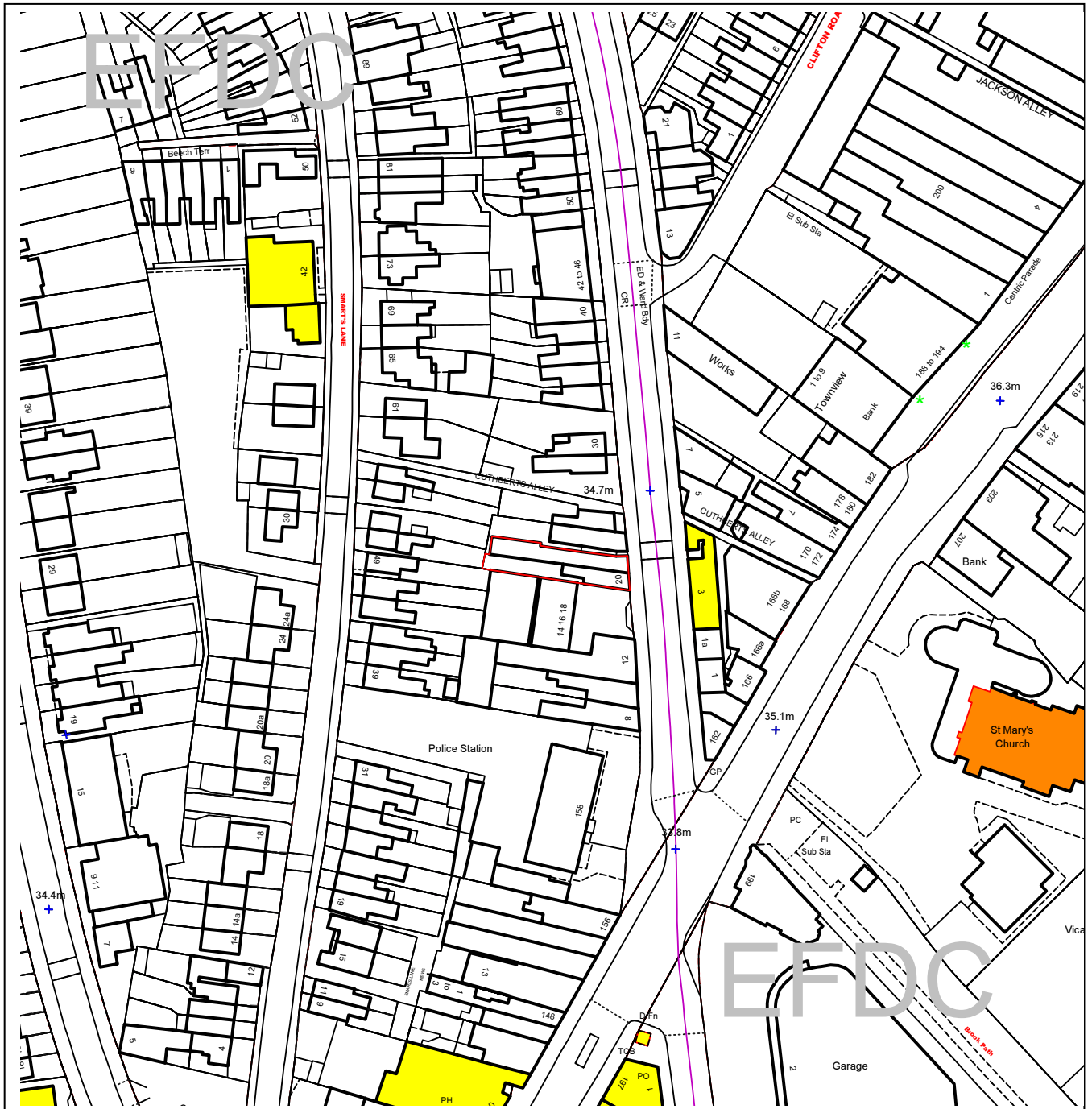
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	7
Application Number:	EPF/2371/11
Site Name:	22 Forest Road, Loughton, IG10 1DX
Scale of Plot:	1/1250